

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey O. Saunders et al.
Application No. : 10/671,967
Confirmation No. : 7271
Filing Date : September 25, 2003
For : INHIBITORS OF IMPDH ENZYME
Group Art Unit : 1621
Examiner : Shailendra Kumar

New York, New York
December 15, 2010

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97, applicants, through their attorneys, hereby make the following documents of record in the above-identified patent application*:

U.S. PATENT DOCUMENTS

<u>Patent No.</u>	<u>Issue Date</u>	<u>Applicant</u>
US-3,973,038	08-03-1976	Umezawa et al.
US-4,028,394	06-07-1977	Karsten et al.

* For the convenience of the Examiner, a completed Information Disclosure Statement By Applicant, listing these documents, is attached.

US-5,070,096	12-03-1991	Mohrs et al.
US-5,093,340	03-03-1992	Mohrs et al.
US-5,446,010	08-29-1995	Toyofuku et al.
US-5,721,246	02-24-1998	Yoshino et al.

FOREIGN PATENT DOCUMENTS

<u>Patent No.</u>	<u>Issue Date</u>	<u>Applicant</u>
CA 1041502	10-31-1978	Dr. Karl Thomae GmbH
CA 1206964	07-02-1986	Hoffmann La Roche Limited Canada
EP 0211568 B1	10-11-1989	Eli Lilly & Co.
EP 0221346 B1	01-13-1991	Warner Lambert Co.
EP 0279633 B1	04-07-1993	Eli Lilly & Co.
EP 0610653 B1	04-16-1997	New Oji Paper Co., Ltd.
EP 0673937 B1	11-26-2003	Eisai Co. Ltd.
GB 1459142	12-22-1976	Upjohn Co.

GROUP A

<u>Patent No.</u>	<u>Issue Date</u>	<u>Applicant</u>
JP 08-512041 (English Language Abstract Attached)	12-17-1996	BYK Gulden Lomberg Chemische Fabrik GmbH
JP 09-157236 (English Language Abstract Attached)	06-17-1997	Shiseido Co. Ltd.

GROUP B

<u>Patent No.</u>	<u>Issue Date</u>	<u>Applicant</u>
JP 06-297860 (English Language Abstract Attached; English Language Counterpart Submitted as US 5,446,010)	10-25-1994	New Oji Paper Co. Ltd.
JP 07-165708 (English Language Abstract Attached; English Language Counterpart Submitted as US 5,721,246)	06-27-1995	Eisai Co. Ltd.
JP 63-093765 (English Language Abstract Attached; English Language Counterpart Submitted as US 5,093,340)	04-25-1988	Bayer AG

GROUP C

<u>Patent No.</u>	<u>Issue Date</u>	<u>Applicant</u>
EP 0051819 (English Language Counterpart Submitted as CA 1206964)	02-13-1985	Hoffmann La Roche & Co.
JP 49-102693 (English Language Counterpart Submitted as CA 1041502)	09-27-1974	Dr. Karl Thomae GmbH
JP 49-127939 (English Language Counterpart Submitted as GB 1459142)	12-07-1974	Upjohn Co.

GROUP C (CONT'D)

<u>Patent No.</u>	<u>Issue Date</u>	<u>Applicant</u>
JP 62-081359 (English Language Counterpart Submitted as EP 0221346)	04-14-1987	Warner Lambert Co.
JP 63-222152 (English Language Counterpart Submitted as EP 0279633)	09-16-1988	Eli Lilly & Co.
JP 06-199047 (English Language Counterpart Submitted as EP 0610653)	07-19-1994	New Oji Paper Co. Ltd.

GROUP D

<u>Patent No.</u>	<u>Issue Date</u>	<u>Applicant</u>
CH 332480 (English Language Claim Attached)	09-15-1958	J.R. Geigy AG, Basel
JP 08-143525 (English Language Abstract Attached)	06-04-1996	Banyu Pharma Co. Ltd.
JP 57-122039 (English Language Abstract Attached)	07-29-1982	Hoffmann La Roche & WAGF

NON-PATENT LITERATURE DOCUMENTS

ALLAY et al., "Sensitization of hematopoietic stem and progenitor cells to trimetrexate using nucleoside transport inhibitors," *Blood*, 90(9):3546-3554 (1997).

CECHINEL-FILHO et al., "Synthesis of xanthoxylone derivatives with antinociceptive and antioedematogenic activities," *European Journal of Medicinal Chemistry*, 31(10):833-839 (1996)

CHEN et al., "Structure-activity relationships in a series of 5-[(2,5-dihydroxybenzyl)amino]salicylate inhibitors of EGF-receptor-associated tyrosine kinase: importance of additional hydrophobic aromatic interactions," *Journal of Medicinal Chemistry*, 37(6):845-859 (1994)

CHIO et al., "Identification of a class of sulfonamides highly active against dihydropteroate synthase from *Toxoplasma gondii*, *Pneumocystis carinii*, and *Mycobacterium avium*," *Antimicrobial Agents and Chemotherapy*, 40(3):727-733 (1996)

CUSHMAN et al., "Synthesis and evaluation of stilbene and dihydrostilbene derivatives as potential anticancer agents that inhibit tubulin polymerization," *Journal of Medicinal Chemistry*, 34(8):2579-2588 (1991)

HONG et al., "Inhibition of recombinant *Pneumocystis carinii* dihydropteroate synthetase by sulfa drugs," *Antimicrobial Agents and Chemotherapy*, 39(8):1756-1763 (1995)

LINFIELD et al., "Antibacterially active substituted anilides of carboxylic and sulfonic acids," *Journal of Medicinal Chemistry*, 26(12):1741-1746 (1983)

PATAKOOT et al., "Preparation of some aryls of o, m and p -cresotic acids," *Journal of the University of Bombay, Science: Physical Sciences, Mathematics, Biological Sciences and Medicine Section A*, 25(40):13-14 (1957)

RAMANA et al., "Synthesis of 2-substituted benzoxazoles and benzimidazoles based on mass spectral ortho interactions" *Journal of the Chemical Society, Perkin Transactions 2*: (7):1497-501 (1995)

GROUP E

GRAMMATICAKIS, "No. 165. – Contribution to the study of the absorption in the middle ultraviolet range and the visible range of N-aroyle-arylamines. III. – o-, m-, p-methoxybenzoylalkoylamines and o-, m-, p- methoxybenzoylarylamines," Bulletin de la Societe Chimique de France, 5:924-935 (1964) (English Language Abstract Attached)

WEUFFEN et al., "Investigation of 2-Hydroxythiobenzamides and 2-Hydroxythiobenzanilides. 4th Communication: Preliminary Investigations to Determine the Anthelmintic Efficacy of the Substances," Pharmazie, 23(6):308-310 (1968) (English Language Summary Attached)

REMARKS

In accordance with 37 C.F.R. § 1.98(a)(2) applicants have not submitted copies of the U.S. patents, but have submitted herewith a copy of the foreign patent publications and non-patent literature documents.

The enclosed documents were cited by an Examiner during prosecution of counterpart European and Japanese patent applications that claim the same priority as this application.

For the non-English language documents cited above, applicants have submitted copies of the documents themselves, as well as English language translations of those documents to the extent that they are available to the undersigned (see Groups A-E noted as above and also on the accompanying Information Disclosure Statement By Applicant form).

For GROUP A documents, applicants have submitted the English abstracts of the documents. Applicants have also noted the U.S. counterpart patent. Applicants note that the Examiner has previously cited the counterpart U.S. patent to these documents during prosecution of this application. Therefore, applicants have neither listed the U.S. patent counterparts in the accompanying Information Disclosure Statement By Applicant form, nor have they provided copies of these U.S. patents.

For GROUP B documents, applicants have submitted the English abstracts and listed the counterpart U.S. patent on the accompanying Information Disclosure Statement By Applicant form.

For GROUP C documents, applicants have submitted copies of English language counterpart patents or patent application publications.

For GROUP D and GROUP E documents, applicants have available to them only partial English translations (e.g., abstracts, summary or claims) of those documents. Hence, applicants have only submitted copies of the partial English translations. However, should the Examiner believe that complete translations are needed, applicants will obtain them.

Applicants request that the cited documents be (1) fully considered by the Examiner prior to issuance of any patent from this application; and (2) printed on any patent that may issue from this application. Applicants also request that the Examiner initial the enclosed Form Information Disclosure Statement By Applicant to indicate that the documents have been considered and return a copy of the initialed Form to the undersigned in accordance with MPEP § 609 and § 2001.06(b).

This Statement is being submitted after the mailing date of a first Office Action on the merits but before the mailing date of any of a final Office Action, a notice of allowance or actions that otherwise closes prosecution of this application. The Director is hereby authorized to charge \$180.00 in payment of the fee for submission of this Supplemental Information Disclosure Statement pursuant to 37 C.F.R. § 1.97(c)(2), to Deposit Account 06-1075, Order No. 003601-0005-102.

Application No. 10/671,967
Supplemental Information Disclosure Statement dated December 15, 2010

The Director is hereby also authorized to charge any additional fees which may be required, or credit any overpayment, in connection with this submission to Deposit Account No. 06-1075, Order No. 003601-0005-102.

Respectfully submitted,

/KAREN MANGASARIAN/

James F. Haley, Jr. (Reg. No. 27,794)
Karen Mangasarian (Reg. No. 43,772)
Attorneys for Applicants

ROPES & GRAY LLP
Customer No. 01473
1211 Avenue of the Americas
New York, New York 10036
Tel.: (212) 596-9000
Fax: (617) 235-9492